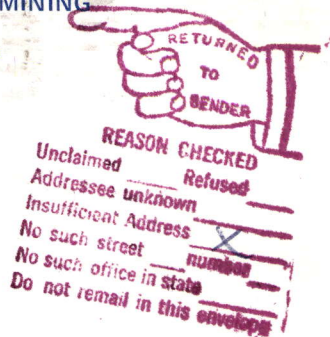


STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING

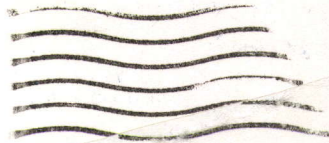
1588 West North Temple
Salt Lake City, Utah 84116



SIDNEY S. SEARLE, et al
Orem, Utah 84057



ACT-023-003



BEFORE THE BOARD OF OIL, GAS, AND MINING
DEPARTMENT OF NATURAL RESOURCES
in and for the STATE OF UTAH

IN THE MATTER OF THE APPROVAL OF THE
NOTICE OF INTENT AND RECLAMATION PLAN
SUBMITTED BY BRUSH WELLMAN INC., TOPAZ
MINING PROPERTY, JUAB COUNTY, UTAH.

ORDER TO SHOW CAUSE
No. ACT-023-003

THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION, MINERAL
AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS INTERESTED IN TOWNSHIPS 12 and
13 SOUTH, RANGE 12 WEST, SLBM, JUAB COUNTY, UTAH.

Notice is hereby given that tentative approval was given on
March 22, 1977, by the Utah Division of Oil, Gas, and Mining, to Brush
Wellman Inc., 67 West 2950 South, Salt Lake City, Utah, to continue open pit
beryllium mining on portions of Sections 5,6,8,9, and 16, Township 13 South,
Range 12 West, and Section 32, Township 12 South, Range 12 West, SLBM, Juab
County, Utah. The name of the mine is the Topaz Mining Property, and the
person representing the company in this matter is Mr. Kenneth R. Poulson,
Mining Division Manager, 67 West 2950 South, Salt Lake City, Utah 84115.

Brush Wellman Inc., has fulfilled obligations under the Mined Land
Reclamation Act of 1975 (Section 40-8, U.C.A., 1953, as amended), and
will employ the following reclamation techniques on 550 acres of patented
claims, leased claims and State mining leases:

During Operations:

- 1) Surficial gravel and rock overburden is stripped off of
the ore and deposited on adjacent landforms in a manner
that conforms as nearly as possible with the existing
terrain.
- 2) All spoil dump slopes are smoothed to rounded stable
slopes less than 45°.
- 3) Fine spoils material is placed to a thickness of 6-12
inches over each dump as completed.
- 4) Ore is stockpiled in low, wide piles for gradual
removal to an off-site mill.
- 5) Mining and maintenance procedures are conducted in an
orderly and safe manner.
- 6) Revegetation research is carried out to establish viable
reclamation schemes.

After Operations:

- 1) Extraneous debris, scrap, wood and buildings will be
removed from the surface.
- 2) A continuous narrow rock pile, four feet high with
steep slopes, and constructed of blocky resistant rock
will be placed 20 feet back from all high walls to provide
for a permanent safety barrier.
- 3) All dumps and footwall pit surfaces will be seeded and
treated with appropriate soil amendments as found practical
by on-site reclamation research.
- 4) Safe access to pits will be left for access to seasonal
run-off water that is entrapped there.

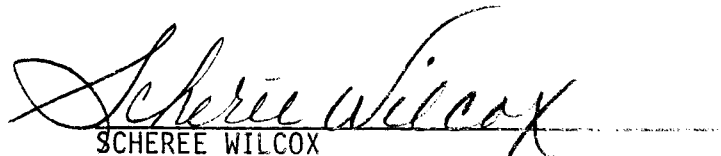
- 5) If necessary, maintenance procedures will be employed to prevent grazing of revegetated areas until surety release is granted by the Division.
- 6) All pre-existing roads will be left open.

Reclamation performance surety will be established upon final approval of the reclamation plan.

Any person or agency aggrieved by this tentative decision is hereby requested to submit written protest within 30 days of April 8, 1977, to the Division of Oil, Gas, and Mining, 1588 West North Temple, Salt Lake City, Utah 84116, setting forth factual reasons for his complaint, and thereafter, at a time and place heretobe established, appear before the Board of Oil, Gas, and Mining, to show cause, if any there be, why this plan should not be approved.

DATED this 25th day of March, 1977.

STATE OF UTAH
BOARD OF OIL, GAS, AND MINING


SCHEREE WILCOX
Secretary of the Board